

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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FEBRUARY 25, 2003

FROM: KEN A. MILLER, Director
Department of Public Works - **Transportation**

**SUBJECT: CHANGE ORDERS TO CONTRACT NO. 02-39 FOR IMPROVEMENTS AT THE
ROUTE I-10/ETIWANDA AVENUE INTERCHANGE IN THE FONTANA AREA**

RECOMMENDATION: (1) Approve Contract Change Orders No. 19 through No. 22 to Contract No. 02-39 with E. L. Yeager Construction Company, Inc. of Riverside, increasing the contract amount by \$74,614 from \$9,687,151 to \$9,761,765 for additional work related to improvements of the Route I-10/Etiwanda Avenue Interchange in the Fontana area (4 votes required).

BACKGROUND INFORMATION: On January 15, 2002, the Board approved Contract No. 02-39 in the amount of \$9,283,592 and authorized a contingency fund of \$928,359 for construction of improvements at the Interstate 10 Freeway and Etiwanda Avenue Interchange being done in conjunction with the Kaiser Commerce Center development. Eighteen (18) previous Change Orders in the total cumulative amount of \$403,559 have been approved for the project.

CCO No. 19 in the amount of \$25,580 provides compensation to the contractor for performing tests on soils to be deposited within the right of way of the Watson Land Company to form the berm along the boundary with the State right of way. The testing is at the request of the owner to verify that levels of regulated contaminants (hydrocarbons and pesticides) are within acceptable limits. Compensation to the contractor will be at an agreed lump sum price of \$25,580. It has been determined that this price is fair based on an analysis submitted by the contractor and verified by the Engineer.

CCO No. 20 in the amount of \$9,930 provides compensation to the contractor for clean-up, regrading and installation of gravel bag dams at Drainage System #12. Due to severe rain storm during the weekend of November 10th and 11th, 2002, this drainage system is no longer functional. As directed by the Engineer, contractor is to perform clean-up of the system, install rocks at culvert outlets and install gravel bag dams at regular intervals to retain silt. Compensation to the contractor will be at an agreed lump sum price of \$9,930. It has been determined that this price is fair based on an analysis submitted by the contractor and verified by the Engineer.

CCO No. 21 in the amount of \$13,384 provides compensation to the contractor for installation by boring of a 2-inch conduit and a 4-inch conduit under the I-10 freeway at main-line station 102+40. These conduits are for future fiber optic lines. A close inspection of the existing casings has revealed severe signs of aging and the need for replacement. Caltrans' Electrical Division concurs in the need for this work. Compensation to the contractor will be at an agreed lump sum price of \$13,384. It has been determined that this price is fair based on an analysis submitted by the contractor and verified by the Engineer.

Record of Action of the Board of Supervisors

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Contract Change Order (CCO) No. 22 in the amount of \$25,720 provides compensation to the contractor for modifying the existing grades on Etiwanda Wash Bridge in order to construct the new Etiwanda West Bound On-Ramp. The revisions were required to overcome grade discrepancies varying between 65 millimeters (2½-inches) and 190 millimeters (7½-inches) and will increase the cost to construct. Compensation to the contractor will be at an agreed lump sum price of \$25,720. It has been determined that this price is fair based on an analysis submitted by the contractor and verified by the Engineer.

The total increase for all change orders requested to date for this project, including these changes, is \$478,173. In accordance with Section 20136(c) of the Public Contract Code, Board approval by a vote of two-thirds (4 votes) is required for changes which authorize cost increases that exceed an aggregate of \$150,000.

REVIEW BY OTHERS: This item was reviewed by Deputy County Counsel Charles S. Scolastico on February 10, 2003 and by the County Administrative Office, (Tom Forster, Administrative Analyst) on February , 2003.

FINANCIAL IMPACT: The estimated cost of these Change Orders is \$74,614. Funds are available in the Board approved contingency fund for this contract. The contingency fund balance, including these changes, will be \$450,186.

COST REDUCTION REVIEW: The County Administrative Office has reviewed this agenda item and concurs with the Department's proposal and recommends this action based on that the Department will be reimbursed for the entire amount of this contract. The reimbursement is in the form of federal and state funds in accordance with Program Supplement No. 030-M to County/State Master Agreement No. 08-5954, or from the Catellus Corporation Group pursuant to Agreement No. 01-828 approved by the Board on August 7, 2001.

SUPERVISORIAL DISTRICT(S): 2ND & 4TH

PRESENTER: Ken A. Miller, 387-7906